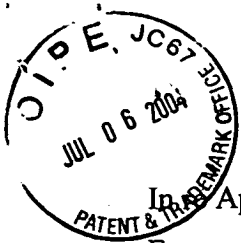


#5A
JL
7/21/04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In Application of: THOMAS J. KENNEY

For : APPARATUS, AND ASSOCIATED METHOD, FOR FACILITATING SELECTION
OF POWER LEVELS AT WHICH TO COMMUNICATE DATA IN A RADIO
COMMUNICATION SYSTEM

U.S. Serial No.: 09/943,856

Filed: 08/31/2001

Group Art Unit: 2684

Examiner: GESESSE, TILAHUN

Docket No.: NC25872

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Technology Center 2600

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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| Commissioner of Patents | |
| P.O. Box 1450 | |
| Alexandria, VA. 22313-1450 | |
| on | June 30, 2004 |
| <i>Diane Taylor</i> | |
| Diane Taylor | |

AMENDMENT

Dear Sir:

In response to the Office action dated March 30, 2004, the shortened statutory period for reply set to expire on June 30, 2004, please amend the above-identified application as follows:

Amendments to the claims begin on page 2 of this paper.

Remarks begin on page 11 of this paper.

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